

TOWN OF WEST HARTFORD

AGENDA ITEM SUMMARY

To: Town Council

From: Matt Hart, Town Manager

Date: October 9, 2018

CC: P. Alair, G. Newsome, M. McGovern, T. Dumais

Subject: Application on Behalf of Delamar West Hartford, LLC seeking reapproval of an amendment to Special Development District #140 located at 1 Memorial Road and known as Delamar. On May 22, 2018, the Town Council approved an amendment for changes to the architecture and landscaping to permit the elimination of an architectural rooftop mechanical screen; the elimination of decorative trees; and the addition of a seasonal vestibule enclosure for the Artisan restaurant, all associated with the Delamar Hotel. The approved plans were not filed within the required timeframe and the approval became null and void. Since no changes to the previous approval are proposed, the Applicant requests of waiver of the required fees. (891)

Background: On May 22, 2018, the Town Council approved an amendment for changes to the architecture and landscaping to permit the elimination of an architectural rooftop mechanical screen; the elimination of decorative trees; and the addition of a seasonal vestibule enclosure for the Artisan restaurant, all associated with the Delamar Hotel. The applicant did not file the approved plans within the required timeframe, and the approval became null and void. Since no changes to the previous approval are proposed, the Applicant requests of waiver of the required fees. Section 177-50M of the Zoning Ordinances provides that:

The Town Plan and Zoning Commission, the Zoning Board of Appeals or the Town Council may waive any of the aforesaid fees established in this section; however, any waiver shall be accompanied by a statement of reason. In the case of an application upon which a Town official is authorized to act without the approval of an administrative agency, no waiver of any fee established herein shall be permitted.

<u>Operational Impact</u>: Staff does not anticipate that the Special Development District application will have any operational impacts on the Town.

<u>Financial Impact</u>: If the request for fee waiver is not approved, the applicant would be charged \$780 in permitting fees for the resubmitted application.

<u>Legal Review</u>: The Corporation Counsel's Office will need to review the final version of the ordinance for its form and legality prior to public hearing.

Recommendation: Staff recommends that the Council move to receive the application and to refer to it the Town Plan and Zoning Commission (TPZ) and the Design Review Advisory Committee (DRAC) for their required review. In addition, the Council should move to schedule a public hearing regarding the application (within not less than thirty nor more than sixty days), and to make a decision on the request to waive the permitting fee.

- Attachments:1) Application narrative and supporting information2) Application plan set